UNITED STATES PATENT AND TRADEMARK OFFICE

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09/867,459	05/31/2001	Soichi Hayashi	209151US6	6885

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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the amendment filed 4/14/08. Claims 1-24

are pending.

Priority

2.   Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an

application for patent filed in the United States may be entitled to the benefit of the filing

date of a prior application filed in a foreign country.

Claim Objections

3.   Claim 9 is objected to because of the following informalities: the word server is

spelled "servier". Appropriate correction is required.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Powers (USPN 5,956,691), Tyler et al (US 5,523,942), Cowan et al (US 5,828,840) and

in further view of O'Hanlon et al (2008/0139947)

[claim 1] Powers discloses an insurance design service providing system comprising:

- an arbitrary communication network; (Powers: col. 5, lines 30-41)

- a plurality of devices/components connected to the arbitrary communication network; and (Powers: Figure 1)

- a server apparatus configured to output information relating to an insurance product meeting a condition on a basis of the condition input from any of the devices/components connected to the arbitrary communication network, (Powers: Figure 1: ref. 44; col. 5, lines 43-61; col. 6, lines 9-24) wherein:

    o the devices/components calculate an insurance fee using the insurance fee calculation module on the basis of the input condition entered by the user via an input screen and relating to the insurance product, (col. 6, lines 9-24; col. 7, lines 1-39; Figures 3-6)

    o the devices/components communicate using the data storage calling module when calculating the insurance fee with a database management module executed by the server apparatus, and obtain stored data from a database using the database management module and display the stored data on the input screen in a state modifiable by a user, (col. 5, lines 30-60; col. 6, lines 9-24; col. 7, lines 1-39)

    o the devices/components display in response to an instruction of the user execute the graph drawing module a graph showing transition of at least one of the insurance fee and a guarantee fee according to the input condition, and (Figures 3-6, Figure 7; col. 7, lines 1-39: shows insurance fees according to user input)

Powers discloses the system/method substantially as recited in claim 1, but do not

expressly disclose calculating information regarding surrender values, in accordance with

user instruction.

Tyler discloses a system/method further comprising:

- o the terminals in accordance with an instruction of the user output a

    request for calculating of a surrender value to the server apparatus, and

    the server apparatus executes a surrender value calculation module in

    accordance with the request to calculate the surrender value and notify a

    result to the nodes. (col. 20, lines 57-64; col. 30, lines 58-63; col. 31, lines

    18-26; col. 32, lines 64-col. 33, line 7)

At the time of the applicant's invention, it would have been obvious to one of ordinary skill

in the art to modify the system/method of Powers with the teaching of Tyler to include

surrender values among the calculations performed in relation to the insurance product.

As suggested by Tyler, one would have been motivated to include this feature to simplify

the process of providing sales proposals including complex product information and

issuing products for insurance agents and sales support. (Tyler: col. 1, lines 35-col. 2, line

24)

Claim 1 has been amended to recite that the system includes "a plurality of

terminals connected to the arbitrary communication network." Powers recites that the

system includes a plurality of devices and components which perform the recited

functions. However, Powers does not expressly disclose that the components performing

the recited functions are several computer terminals. Tyler discloses a system

comprising a plurality of networked computer terminals, including input and output

devices, used to receive, calculate and present information regarding insurance policies.

(Tyler: Figure 1A, col. 10, lines 34-60) At the time of the Applicant's invention, it would

have been obvious to one of ordinary skill in the art to modify the system of Powers with

the system of Tyler to include a plurality of computer terminals to receive, calculate and

present information regarding insurance policies. As suggested by Tyler, one would have

been motivated to include this feature to provide a configuration which is suitable for

when multiple agents are in the field working with different clients. (col. 10, lines 62-64)

Powers further discloses a system operates over communication network (Figure

1; col. 5, lines 31-42), but Powers and Tyler in combination do not expressly disclose:

- o downloading an insurance fee calculation module, a data storage calling

    module and a graph drawing module from the server apparatus, (col. 5,

    lines 30-60; col. 6, lines 9-24) via the arbitrary network.

However, as disclosed by Cowan, downloading software modules a server to execute on

a local client is old and well known in the art. (col. 4, lines 66-col. 5, line 8). At the time of

the Applicant's invention, it would have been obvious to one of ordinary skill in the art to

further modify the teachings of Powers and Tyler to download the software modules from

a server and execute them locally at the client. One would have been motivated to

include this feature minimize network traffic and improve user accessibility.

Claim 1 has been further amended to recite that the system includes related

clinical history stored on "a clinical history database apparatus provided separately and

independently from the terminals and the server" which used to provide information

relating to the insurance product.

Powers, Tyler and Cowan to do not expressly disclose related clinical history

stored on "a clinical history database apparatus provided separately and independently

from the terminals and the server." O'Hanlon discloses a system including a clinical

database accessible to insurance providers (Figure 1), which provides historical

medical/clinical information. (par. 28—e.g compiled health statistics and data). At the

time of the Applicant's invention, it would have been obvious to one of ordinary skill in the

art modify the system of Powers, Tyler and Cowan in combination with the teaching

O'Hanlon to provide access to a clinical historical database. As suggested by O'Hanlon,

one would have been motivated to include this feature to help insurers determine

thresholds for health risks in determining premiums for providing insurance. (par. 28)

[claim 2]   Powers discloses the insurance design service providing system

according to claim 1, wherein the devices/components download a handling definition

module from the server apparatus to check whether or not the condition concerning the

insurance product are contrary to predetermined law and regulation, and display a result.

(col. 11, line 45-col. 12, line 9—in compliance with regulations and benchmarks)

As to the recitation of the "terminal(s)," this limitation is addressed by the Tyler

reference in the rejection of claim 1, and incorporated herein.

[claim 3]   Powers discloses an insurance design service providing system according to claim 2, wherein said server apparatus performs, with respect to the insurance product based on said inputted condition, at least one processes of examining whether said insurance product meets prescribed regulations, calculating an insurance fee, extracting contents of a guarantee, calculating the surrender value, and detecting information regarding accounting processing. (Figure 1,3, 15; col. 6, lines 26-48, col. 7, lines 1-51)

[claim 4]   Powers teaches an insurance design service providing system according to claim 2, wherein said server apparatus transmits the graph drawing module to said devices/components for graphically displaying information on the result of said each process at said device/component. (Figures 1,3-10, col.7, line 58-col. 8, line 32)

As to the recitation of the "terminal(s)," this limitation is addressed by the Tyler reference in the rejection of claim 1, and incorporated herein.

[claim 5]   Powers teaches the insurance design service providing system according to claim 2, wherein said insurance product is life insurance. (see abstract)

[claim 6]   Powers teaches the insurance design service providing system according to claim 5, wherein any of said plurality of devices/components inputs prescribed conditions relating to a design of the life insurance into said server apparatus. (Figure 1, col. 6, lines 14-48)

As to the recitation of the "terminal(s)," this limitation is addressed by the Tyler reference in the rejection of claim 1, and incorporated herein.

[claim 7]   Powers teaches the insurance design service providing system according to

claim 6, wherein said server apparatus outputs information relating to the life insurance

meeting said inputted conditions. (col. 5, line 43-col. 6, line 8)

[claim 8] Powers teaches the insurance design service providing system according to claim

7, wherein prescribed conditions relating to the design of said life insurance includes at

least one of conditions pertaining to age of a policyholder, gender, a payment method of the

insurance fee (e.g. premium), a period of payment of the insurance fee (e.g. premium), or

contents of a guarantee including an amount insured. (Figures 3-6; col. 7, lines 1-29)

[claim 9] Powers teaches the insurance design service providing apparatus including :

-    a server apparatus connected to an arbitrary communication network to which a

     plurality of devices/components are connected (Powers: Figure 1: ref. 44; col. 5, lines

     43-61; col. 6, lines 9-24), said server apparatus comprising:

     -    a receiving means for receiving prescribed conditions relating to design of

          prescribed insurance from any said device/component; (Figure 1, col. 5, lines 31-42)

     -    an information generation means for generating information regarding said

          insurance product meeting said received conditions; and (col. 5, lines 43-61)

     -    a transmission means for transmitting said generated information to said

          device/component from which said prescribed information is inputted.(col. 5, lines

          36-39—communication link/network or the Internet)

- information outputting means for outputting information relating to an insurance

  product meeting conditions on a basis of the condition input from any of the

  devices/components connected to the arbitrary communication network; and

  (Powers: Figure 1: ref. 44; col. 5, lines 43-61; col. 6, lines 9-24)

- wherein the nodes comprise:

  o executing means for executing the insurance fee calculation module to input

     the condition relating to the insurance product by providing an input screen,

     and to calculate an insurance fee on the basis of the input condition and

     display the insurance fee (col. 6, lines 9-24; col. 7, lines 1-39; Figures 3-6)

  o executing means for executing the data storage calling module when

     calculating the insurance fee to communicate with a database management

     module executed by the server apparatus, and to input stored data which is

     obtained by the database management module by accessing to a database

     and display the stored data on the input screen in a state correctable for a

     user, (col. 5, lines 30-60; col. 6, lines 9-24; col. 7, lines 1-39)

  o executing means for executing in accordance with an instruction of the user

     the graph drawing module to display a graph showing transition of at least

     one of the insurance fee and a guarantee fee according to the input condition

     (Figures 3-6, Figure 7; col. 7, lines 1-39: shows insurance fees according

     to user input)

Powers teaches the system/method substantially as recited in claim 9, but does

not expressly disclose calculating information regarding surrender values, in accordance

with user instruction.

Tyler discloses a system/method further comprising:

- o executing means for executing a surrender value calculation module, the

  executing means of the server apparatus executes the surrender value

  calculation module in accordance with the request to calculate the surrender

  value and notify a result to the terminal and wherein nodes comprise

  outputting means for outputting in accordance with an instruction of the user

  a request for calculating of a surrender value to the server apparatus. (col.

  20, lines 57-64; col. 30, lines 58-63; col. 31, lines 18-26; col. 32, lines 64-

  col. 33, line 7)

At the time of the applicant's invention, it would have been obvious to one of ordinary skill

in the art to modify the system/method of Powers with the teaching of Tyler to include

surrender values among the calculations performed in relation to the insurance product.

As suggested by Tyler, one would have been motivated to include this feature to simplify

the process of providing sales proposals including complex product information and

issuing products for insurance agents and sales support. (Tyler: col. 1, lines 35-col. 2, line

24)

Claim 9 has been amended to recite that the system includes "a plurality of

terminals connected to the arbitrary communication network." Powers recites that the

system includes a plurality of devices and components which perform the recited

functions. However, Powers does not expressly discloses that the components

performing the recited functions are several computer terminals. Tyler discloses a system

comprising a plurality of networked computer terminals, including input and output

devices, used to receive, calculate and present information regarding insurance policies.

(Tyler: Figure 1A, col. 10, lines 34-60) At the time of the Applicant's invention, it would

have been obvious to one of ordinary skill in the art to modify the system of Powers with

the system of Tyler to include a plurality of computer terminals to receive, calculate and

present information regarding insurance policies. As suggested by Tyler, one would have

been motivated to include this feature to provide a configuration which is suitable for

when multiple agents are in the field working with different clients. (col. 10, lines 62-64)

Powers further discloses a system/method that operates over a communication

network (Figure 1; col. 5, lines 31-42), but Powers and Tyler in combination do not

expressly disclose:

> o downloading an insurance fee calculation module, a data storage calling
>
> module and a graph drawing module from the server apparatus, (col. 5,
>
> lines 30-60; col. 6, lines 9-24) via the arbitrary network.

However, as disclosed by Cowan, downloading software modules a server to execute on

a local client is old and well known in the art. (col. 4, lines 66-col. 5, line 8). At the time of

the Applicant's invention, it would have been obvious to one of ordinary skill in the art to

further modify the teachings of Powers and Tyler to download the software modules from

a server and execute them locally at the client. One would have been motivated to

include this feature minimize network traffic and improve user accessibility.

Claim 9 has been further amended to recite that the system includes related

clinical history stored on "a clinical history database apparatus provided separately and

independently from the terminals and the server" which used to provide information

relating to the insurance product.

Powers, Tyler and Cowan to do not expressly disclose related clinical history

stored on "a clinical history database apparatus provided separately and independently

from the terminals and the server." O'Hanlon discloses a system including a clinical

database accessible to insurance providers (Figure 1), which provides historical

medical/clinical information. (par. 28—e.g compiled health statistics and data). At the

time of the Applicant's invention, it would have been obvious to one of ordinary skill in the

art modify the system of Powers, Tyler and Cowan in combination with the teaching

O'Hanlon to provide access to a clinical historical database. As suggested by O'Hanlon,

one would have been motivated to include this feature to help insurers determine

thresholds for health risks in determining premiums for providing insurance. (par. 28)

[claim 10]   Powers, Tyler and Cowan disclose an insurance design service providing

apparatus as explained in the rejection of claim 9. Powers further recites that the system

includes a handling definition module to check whether or not the conditions concerning the

insurance product are contrary to predetermined law and order, and display a result of the

check. (col. 11, line 45-col. 12, line 9—in compliance with regulations and benchmarks)

Claim 10 has been amended to recite wherein "downloading means of terminals

downloads a handling function….". Powers and Tyler do not expressly disclose

downloading a module to a terminal.

However, as disclosed by Cowan, downloading software modules from a server to

execute on a local client is old and well known in the art. (col. 4, lines 66-col. 5, line 8---

i.e. downloading means of terminals downloading a module). At the time of the

Applicant's invention, it would have been obvious to one of ordinary skill in the art to

further modify the teachings of Powers and Tyler to download the software modules from

a server and execute them locally at the client. One would have been motivated to

include this feature minimize network traffic and improve user accessibility and to provide

a configuration that is most suitable when agents are in the field with clients. (Tyler: col.

10, lines 62-65)

[claim 11]   Powers teaches the insurance design service providing apparatus according to

claim 10, wherein said devices/components further comprise generating means for

generating insurance specification information on the devices/components. (col. 9, lines 1-

26)

As to the recitation of the "terminal(s)," this limitation is addressed by the Tyler

reference in the rejection of claim 9, and incorporated herein.

[claim 12]   Powers teaches the insurance design service providing apparatus according

to claim 11, wherein said server apparatus further comprises performing means for

performing, with respect to the insurance product, based on said inputted condition, at

least one of the following processes: examining whether said insurance product meets

the prescribed regulations, calculating an insurance fee (e.g. premium), extracting

contents of a guarantee, calculating a surrender value, and detecting information

regarding accounting processing. (Figure 1,3,15; col. 6, lines 26-48, col. 7, lines 1-51)

[claim 13]   Powers teaches the insurance design service providing apparatus according

to claim 12, wherein the performing means outputs information on the at least one

process. (col. 5, lines 43-61; col. 9, lines 25-57)

[claims 14-15]   Powers discloses the insurance design service providing apparatus the

server apparatus further comprises transmission means and wherein the transmission

means causes information about the process to be graphically displayed on a

device/component. (Figures 1,3-10, col.7, line 58-col. 8, line 32)

        As to the recitation of the "terminal(s)," this limitation is addressed by the Tyler

reference in the rejection of claim 9, and incorporated herein.

[claim 16]   Powers teaches the insurance design service providing apparatus

according to claim 11, further including database means for storing prescribed conditions

relating to a design of the insurance product inputted from said devices/components. (col.

5, lines 48-61)

As to the recitation of the "terminal(s)," this limitation is addressed by the Tyler

reference in the rejection of claim 9, and incorporated herein.

[claim 17]   Powers teaches the insurance design service providing apparatus

according to claim 16, wherein said insurance product is life insurance. (see abstract)

[claim 18]   Powers teaches the insurance design service providing apparatus according

to claim 17, wherein the server apparatus further comprises receiving means for receiving

the prescribed conditions relating to the design of the life insurance from said

devices/components. (Figure 1, col. 5, lines 31-42) As to the recitation of the "terminal(s),"

this limitation is addressed by the Tyler reference in the rejection of claim 9, and

incorporated herein.

[claim 19] Powers teaches the insurance design service providing apparatus according to

claim 18, wherein said information outputting means of the server apparatus outputs

information relating to the life insurance meeting said received conditions. (Figure 1, col.

5, lines 31-42; col. 8, lines 65-col. 9, line 62)

[claim 20] Powers teaches the insurance design service providing apparatus according to

claim 19, wherein prescribed conditions relating to the design of said life insurance includes

at least one of conditions pertaining to age of a policyholder, gender, a payment method of

an insurance fee (e.g. premium), a period of payment of an insurance fee (e.g. premium),

or contents of a guarantee including an amount insured. (Figures 3-6; col. 7, lines 1-29)

[claim 21]   Powers teaches an insurance design service providing method comprising

the steps of:

- connecting a server apparatus to a communication network as a web site, wherein

  a plurality of devices/components is connected to said communication network

  and said server apparatus outputs information relating to an insurance product

  meeting conditions on a basis of condition input from any of the nodes connected

  to the communication network;; (Powers: Figure 1: ref. 44; col. 5, lines 30-61; col.

  6, lines 9-24)

- executing the insurance fee calculation module by the devices/components to input

  the condition relating to the insurance product by providing an input screen, and to

  calculate an insurance fee on the basis of the input condition and display the

  insurance fee; (col. 6, lines 9-24; col. 7, lines 1-39; Figures 3-6)

- executing the data storage calling module by the devices/components when

  calculating the insurance fee to communicate with a database management

  module executed by the server apparatus, and to input stored data which is

  obtained by the database management module by accessing to a database and

display the stored data on the input screen in a state correctable for a user; (col. 5, lines 30-60; col. 6, lines 9-24; col. 7, lines 1-39)

- executing the graph drawing module by the devices/components in accordance with an instruction of the user to display a graph showing transition of at least one of the insurance fee and a guarantee fee according to the input condition; (Figures 3-6, Figure 7; col. 7, lines 1-39: shows insurance fees according to user input)

Powers discloses the system/method substantially as recited in claim 21, but does not expressly disclose calculating information regarding surrender values, in accordance with user instruction.

Tyler discloses a system/method further comprising:

- outputting a request for calculating a surrender value from the terminal to the server apparatus in accordance with an instruction of the user; and (col. 20, lines 57-64; col. 30, lines 58-63; col. 31, lines 18-26; col. 32, lines 64-col. 33, line 7)

- executing a surrender value calculation module by the server apparatus in accordance with the request to calculate the surrender value and notify a result to the nodes. (col. 20, lines 57-64; col. 30, lines 58-63; col. 31, lines 18-26; col. 32, lines 64-col. 33, line 7)

At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system/method of Powers with the teaching of Tyler to include surrender values among the calculations performed in relation to the insurance product. As suggested by Tyler, one would have been motivated to include this feature to simplify

the process of providing sales proposals including complex product information and

issuing products for insurance agents and sales support. (Tyler: col. 1, lines 35-col. 2, line

24)

Claim 21 has been amended to recite that the system includes "a plurality of

terminals connected to a communication network." Powers recites that the system

includes a plurality of devices and components which perform the recited functions.

However, Powers does not expressly discloses that the components performing the

recited functions are several computer terminals. Tyler discloses a system comprising a

plurality of networked computer terminals, including input and output devices, used to

receive, calculate and present information regarding insurance policies. (Tyler: Figure 1A,

col. 10, lines 34-60) At the time of the Applicant's invention, it would have been obvious

to one of ordinary skill in the art to modify the system of Powers with the system of Tyler

to include a plurality of computer terminals to receive, calculate and present information

regarding insurance policies. As suggested by Tyler, one would have been motivated to

include this feature to provide a configuration which is suitable for when multiple agents

are in the field working with different clients. (col. 10, lines 62-64)

Powers further discloses a system/method that operates over a communication

network (Figure 1; col. 5, lines 31-42), but Powers and Tyler in combination do not

expressly disclose:

> o   downloading an insurance fee calculation module, a data storage calling
>
>   module and a graph drawing module from the server apparatus, (col. 5,
>
>   lines 30-60; col. 6, lines 9-24) via the arbitrary network.

However, as disclosed by Cowan, downloading software modules a server to execute on a local client is old and well known in the art. (col. 4, lines 66-col. 5, line 8). At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to further modify the teachings of Powers and Tyler to download the software modules from a server and execute them locally at the client. One would have been motivated to include this feature minimize network traffic and improve user accessibility.

Claim 21 has been further amended to recite that the system includes related clinical history stored on "a clinical history database apparatus provided separately and independently from the terminals and the server" which used to provide information relating to the insurance product.

Powers, Tyler and Cowan to do not expressly disclose related clinical history stored on "a clinical history database apparatus provided separately and independently from the terminals and the server." O'Hanlon discloses a system including a clinical database accessible to insurance providers (Figure 1), which provides historical medical/clinical information. (par. 28—e.g compiled health statistics and data). At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art modify the system of Powers, Tyler and Cowan in combination with the teaching O'Hanlon to provide access to a clinical historical database. As suggested by O'Hanlon, one would have been motivated to include this feature to help insurers determine thresholds for health risks in determining premiums for providing insurance. (par. 28)

[claims 22] Powers, Tyler and Cowan disclose an insurance design service providing

method of claim 21, as explained in the rejection of claim 21. Powers further discloses the

insurance design service providing method according to claim 21 wherein the system

includes the calculation module, the data storage calling module, and graph drawing

module, and wherein when said web site (col. 5, lines 31-40) is accessed from any of

said devices/components, (col. 5, lines 34-39; col. 11, line 59-col. 12, line 11). Powers

also discloses:

- said server apparatus outputs information relating to the insurance product

  meeting said inputted condition; and (col. 5, lines 43-61)

- said at least one of the node outputs insurance information by executing said

  calculation module, the data storage calling module, and graph drawing module,

  based on said information output from said server apparatus (col. 9, lines 25-col.

  10, line 9)

Powers and Tyler do not expressly disclose downloading/transmitting a module(s) to a

terminal.

 However, as disclosed by Cowan, downloading software modules from a server to

execute on a local client is old and well known in the art. (col. 4, lines 66-col. 5, line 8---

i.e. downloading means of terminals downloading a module). At the time of the

Applicant's invention, it would have been obvious to one of ordinary skill in the art to

further modify the teachings of Powers and Tyler to download the software modules from

a server and execute them locally at the client. One would have been motivated to

include this feature minimize network traffic and improve user accessibility and to provide

a configuration that is most suitable when agents are in the field with clients. (Tyler: col.

10, lines 62-65)

[claim 23]   Powers teaches the insurance design service providing method according to

claim 22, wherein said insurance product is life insurance (see abstract); and

desired information relating to the life insurance meeting condition includes at least one:

information items about whether said life insurance meets the prescribed regulations,

information about the insurance fee (e.g. calculating a premium), extracting the contents

of a guarantee, information about the surrender value (calculating a surrender value),

and detecting information regarding accounting processing. (Figure 1,3, 15; col. 6, lines

26-48, col. 7, lines 1-51)

[claim 24]   Powers teaches the insurance design service providing method according to

claim 22, wherein said insurance is life insurance (see abstract); and wherein prescribed

conditions relating to the design of said life insurance includes at least one of conditions

pertaining to age of a policyholder, gender of a policyholder, a payment method of the

insurance fee(e.g. a premium), a period of payment of the insurance fee (e.g. a premium),

or contents of a guarantee including an amount insured. (Figures 3-6; col. 7, lines 1-29).

Response to Arguments

6.   Applicant's arguments with respect to the newly added limitations of claims 1-24

have been considered but are moot in view of the new ground(s) of rejection. The

examiner has added additional citations and a new reference to address the new

limitations.

7.   Applicant's arguments filed 4/14/08 have been fully considered but they are not

persuasive.

(A)   Applicant argues that claim 9 is intended to invoke 35 USC 112, 6th paragraph

interpretation of the claim language.

        In response,   it is understood that "If one employs means plus function language

in a claim, one must set forth in the specification an adequate disclosure showing what

is meant by that language. If an applicant fails to set forth an adequate disclosure, the

applicant has in effect failed to particularly point out and distinctly claim the invention as

required by the second paragraph of section 112." *In re Donaldson Co.*, 16 F.3d 1189,

1195, 29 USPQ2d 1845, 1850 (Fed. Cir. 1994) (in banc).

        Furthermore, in order to properly invoke 112, sixth paragraph, the language of

the claim must include "means for" modified by functional language and the "means for"

must not be modified by sufficient structural, material, or acts for achieving the

specified function.   For example, claim 9 recites "outputting means for sending to the

server apparatus in accordance with an instruction of the user a request to calculate

surrender value..." The functional step sufficiently modifies the outputting means. As

such, the claim not be interpreted under will not apply 35 U.S.C. 112, sixth paragraph

(See MPEP 2181.)

(B)   Applicant argues that Powell fails to disclose several of the claimed limitations.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). A combination of references has been applied and multiple rationales to combine said references have been given address the claim limitations.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RACHEL L. PORTER whose telephone number is (571)272-6775. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, (Christopher) Luke Gilligan can be reached on (571) 272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. L. P./
Examiner, Art Unit 3626

/C Luke Gilligan/
Supervisory Patent Examiner, Art Unit 3626